

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1847 of 2017

Arising Out of PS.Case No. -470 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Ajay Mahato, Son of Late Jhulan Mahato, Resident of Mohalla - Arar,
Gopalganj, Ward No. 08, Police Station Gopalganj, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 10-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 20 (b) of the N.D.P.S. Act.

Allegedly, 4 kg. ganja was recovered from a bag from
the back side room of the house of the petitioner and the petitioner
is in custody since 14.11.2016.

Submission is of false implication and that the
mandatory provision of the N.D.P.S. Act has not been complied
with, there is utter violation of the provisions of the N.D.P.S. Act
and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail of the
petitioner.



In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge- Cum- Special Judge, Gopalganj in Gopalganj (Town) P.S. Case No. 470 of 2016/ Trial No. 32 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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